

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DAVID C. BEINLICH and</b>	:	
<b>KAREN F. BEINLICH,</b>	:	
	:	
<b>Plaintiffs,</b>	:	<b>No. 11-579</b>
	:	
<b>vs.</b>	:	<b>[Filed Electronically]</b>
	:	
<b>CHIEF EXPLORATION &amp;</b>	:	<b>Judge Kane</b>
<b>DEVELOPMENT LLC, <i>et al.</i>,</b>	:	
	:	
<b>Defendants.</b>	:	

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**ANSWER OF CHIEF EXPLORATION & DEVELOPMENT, LLC**

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Chief Exploration & Development LLC (“Chief”) offers the following as its answer to the complaint filed by Plaintiffs David and Karen Beinlich.

**FIRST DEFENSE**

Chief admits the allegations included in the following paragraphs (or portions of paragraphs) of the complaint: 2 (to the extent it identifies the plaintiffs); 3, 4 (to the extent they identify the defendants); 5, 6 (to the extent it identifies property subject to the lease at issue); 8, 9, 14 (to the extent it identifies a declaration of pooling); 17, 46. Chief is without sufficient information to admit or deny the allegations included in the following paragraphs (or portion of paragraphs) of the complaint: 7. The following paragraphs (or portions of paragraphs) of the complaint

refer to and/or characterize documents that speak for themselves and are therefore denied (to the extent paragraphs or portions of paragraphs may be deemed to assert facts, they are denied): 10, 11, 12, 13, and 15. The following paragraphs or portions of paragraphs constitute legal conclusions to which no response is required (to the extent they may be deemed to assert facts, they are denied): 32, 33, 35, 37, 38, 39, 40, 42, 43, 47, 48, 50, 52. ***Chief denies all remaining allegations of the complaint.***

### **SECOND DEFENSE**

Some or all of the claims in the complaint fail to state a claim for which relief may be granted.

### **THIRD DEFENSE**

Some or all of the claims in the complaint are barred by ratification, waiver or estoppel.

### **FOURTH DEFENSE**

Some or all of the claims in the complaint are barred by the plaintiffs' failure to comply with conditions precedent to filing suit pursuant to the lease agreement.

Respectfully submitted,

**K&L GATES LLP**

June 29, 2011

s/ David R. Fine

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**CERTIFICATE OF SERVICE**

I certify that, on June 29, 2011, I filed the attached electronically such that it will be served automatically on the following:

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/s David R. Fine